

United States District Court  
Southern District of Texas  
FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

NOV 24 2010

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v

ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR,  
and  
FRANCISCO IVAN RODRIGUEZ-  
GARCIA  
Defendants.

CRIMINAL NO. H-10-

10 CR 805

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

At all times material herein:

COUNT ONE

(CONSPIRACY TO FORCE LABOR, 18 U.S.C. Section 1594)

On or about December 2006, and continuing until on or about August 2010, in the Houston Division of the Southern District of Texas and elsewhere, defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA**

did intentionally and knowingly combine, conspire, confederate, and agree with each other and with other persons known and unknown to the Grand Jury to commit offenses against the United States, as follows:

- a. to, in violation of Title 18, United States Code, Section 1589, obtain labor or services of a person by means of force, threats of force, serious harm or threats of serious harm to that person or another.

**Manner and Means**

The manner and means by which the conspiracy, of which defendants were members, was sought to be accomplished included, among others, the following:

1. It was a further part of the plan and purpose of the conspiracy that one or more of the conspirators would recruit undocumented aliens from Mexico to travel to the United States with the expectation of receiving jobs.
2. It was a further part of the plan and purpose of the conspiracy that conspirators would pay the undocumented aliens' smuggling fees.
3. It was a further part of the plan and purpose of the conspiracy that conspirators would require the undocumented aliens repay the smuggling fees by forcing them to sell counterfeit and/or pirated compact discs (CDs) and digital video discs (DVDs).
4. It was a further part of the plan and purpose of the conspiracy that conspirators would require the smuggled undocumented aliens to live with them and share living expenses.
5. It was a further part of the plan and purpose of the conspiracy that conspirators would and did abuse the undocumented aliens both verbally and physically.
6. It was a further part of the plan and purpose of the conspiracy that conspirators would make the undocumented aliens sell counterfeit and/or pirated CDs and DVDs until they repaid their smuggling debts to the conspirators.
7. It was a further part of the plan and purpose of the conspiracy that conspirators would use threats of force and force to compel and maintain the service of the undocumented aliens until their debts were paid.

**Overt Acts**

In furtherance of the conspiracy described herein, one or more of the co-conspirators committed, in the Southern District of Texas and elsewhere, one or more of the following overt acts:

8. On or about February 2010, Francisco Ivan Rodriguez and Blanca Estela Lopez-Aguilar discussed smuggling M.A.P.R. into the United States with a man named "Mr. Willie."
9. On or about February 16, 2010, Blanca Estela Lopez told M.A.P.R. not to play outside because her neighbors would get angry and she was not going to lose her investment if he got deported.
10. On or about February 17, 2010, Blanca Estela Lopez told M.A.P.R. that he owed her \$2,600.00 for his smuggling debt.
11. On or about February 19, 2010, Francisco Ivan Rodriguez-Garcia forced M.A.P.R. and two females to sell counterfeit and/or pirated CDs and DVDs.
12. On or about May 2010, M.A.P.R. told Blanca Estela Lopez and Francisco Ivan Rodriguez-Garcia that he wanted to leave their home and they both refused to allow him to leave.
13. On or about May 2010, Blanca Estela Lopez-Aguilar stated that many undocumented aliens had fled from the trafficking organization and a conspirator would find them and harm them.
14. On or about June 2010, a conspirator threatened one of the workers by pulling a gun on him.
15. On or about July 14, 2010, Blanca Estela Lopez-Aguilar and Francisco Ivan Rodriguez-Garcia met with R.J.H. and H.R.G., two smuggled undocumented aliens,

in a Wal-Mart parking lot, upon their arrival in Houston, Texas.

16. On or about July 14, 2010, Blanca Estela Lopez told R.J.H. that he had to pay her for his smuggling debt.
17. On or about July 14, 2010, Blanca Estela Lopez told R.J.H. that he had to work for her for five (5) months whether he wanted to or not to satisfy his smuggling debt.
18. On or about July 15, 2010, Francisco Ivan Rodriguez-Garcia and an unindicted co-conspirator assaulted M.A.P.R. in front of Blanca Estela Lopez-Aguilar.
19. On or about July 14, 2010, Blanca Estela Lopez-Aguilar and Francisco Ivan Rodriguez-Garcia told R.J.H. that if he did not pay his smuggling debt his family would be responsible for repaying the debt.
20. On or about July 2010, Blanca Estela Lopez-Aguilar told R.J.H. that he was not allowed to work anywhere else until his debt was paid to her and Francisco Ivan Rodriguez-Garcia.
21. On or about August 2010, Estela Aguilar-Lopez recruited M.H. and F.H. to illegally travel to the United States with transportation and smuggling fees to be repaid to Estela Aguilar-Lopez.
22. On or about August 23, 2010, Francisco Ivan Rodriguez-Garcia saw J. LNU while J. LNU was selling counterfeit and/or pirated CDs and DVDs and he asked J. LNU when he was going to pay him the \$1,200.00 that J. LNU owed him for being smuggled into the United States.
23. On or about August 29, 2010, Blanca Estela Lopez-Aguilar left a voicemail for M.A.P.R. threatening M.A.P.R., J. LNU, and their families in Mexico if they did not return.

**COUNT TWO**

(CONSPIRACY TO HARBOR UNDOCUMENTED ALIENS, 8 U.S.C. Section 1324(a)(1)(A)(iii), (a)(1)(A)(v)(I) and (a)(1)(B)(i))

On or about December 2006, and continuing until on or about August, 2010, in the Houston Division of the Southern District of Texas and elsewhere, the defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA**

did knowingly combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury, to commit offenses against the United States, as follows:

- a. to harbor undocumented aliens within the United States, in any manner whatsoever, for the purpose of commercial advantage and private financial gain, knowing and in reckless disregard of the fact that such aliens had entered the United States in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), (a)(1)(A)(v)(I), and (A)(1)(B)(I).

**Manner and Means and Overt Acts**

In furtherance of the conspiracy, and to the effect the objects thereof, the defendants performed and caused to be performed, among others, the manner and means and overt acts set forth in Count One of this Indictment, hereby re-alleged and incorporated as if fully set forth in this count of the Indictment.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), (a)(1)(A)(v)(I) and (a)(1)(B)(i).

**COUNT THREE**

(CONSPIRACY, 18 U.S.C. Section 371)

On or about December 2006, and continuing until on or about August, 2010, in the Houston Division of the Southern District of Texas and elsewhere, the defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA**

did knowingly combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury, to commit offenses against the United States, as follows:

- a. to willfully and for the purpose of commercial advantage and private financial gain, reproduce and distribute copies of one or more copyrighted work, that is "pirated" music CDs and DVDs during a 180-day period, having a total retail value of more than \$1,000, in violation of Title 17, United States Code, Section 506(a) and Title 18, United States Code, Section 2319.
- b. to knowingly traffic in counterfeit or illicit labels affixed to, enclosed with or accompanying a phonorecord or a copy of a motion picture in violation of Title 18, United States Code, Section 2318; and
- c. to intentionally traffic in goods, namely "pirated" CDs and DVDs, and knowingly using counterfeit marks on and in connection with such "pirated" CDs and DVDs, in violation of Title 18, United States Code, Section 2320(a).

**Manner and Means and Overt Acts**

In furtherance of the conspiracy, and to the effect the objects thereof, the defendants performed and caused to be performed, among others, the manner and means and overt acts set forth in Count One of this Indictment, hereby re-alleged and incorporated as if fully set forth in this count of the Indictment.

All in violation of Title 18, United States Code, Section 371.

**NOTICE OF FORFEITURE**

A. Pursuant to 18 U.S.C. § 1594(d), upon conviction of Count One, a violation of 18 U.S.C. § 1594, the defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA,**

shall forfeit to the United States of America (1) any property, real or personal, used or intended to be used to commit or to facilitate the commission of Count One; and (2) any property, real or personal, constituting or derived from, any proceeds obtained, directly or indirectly, as a result of Count One.

B. Pursuant to 18 U.S.C. § 982(a)(6)(A), upon conviction of Count Two, a violation of 8 U.S.C. § 1324, the defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA,**

shall forfeit to the United States of America (1) any conveyance, including any vessel, vehicle, or aircraft, used in the commission of Count Two, (2) any property, real or personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of Count Two, and (3) any property, real or personal, used to facilitate or intended to be used to facilitate the commission of Count Two.

C. Pursuant to 18 U.S.C. § 2323(b), upon conviction of Count Three, a violation of 18 U.S.C. §§ 371 and 2320, the defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA,**

shall forfeit to the United States of America (1) any article, the making or trafficking of which is, prohibited under 18 U.S.C. § 2320, (2) any property used, or intended to be used, in any manner or part to commit or facilitate the commission of Count Three, and (3) any property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of Count Three.

D. Pursuant to 18 U. S. C. §§ 371, 981(a)(1)(C) and 1956(c)(7) and 28 U. S. C. §

2461(c), upon conviction of Count Three, a violation of 18 U.S.C. §§ 371 and 2320, the defendants,

**ESTELA AGUILAR-LOPEZ,  
BLANCA ESTELA LOPEZ-AGUILAR, and  
FRANCISCO IVAN RODRIGUEZ-GARCIA,**

shall forfeit to the United States of America,, any property, real or personal, which constitutes or is derived from proceeds traceable to Count Three.

E. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

JOSÉ ANGEL MORENO  
UNITED STATES ATTORNEY

By: 

KEBHARU H. SMITH  
Assistant United States Attorney

By: 

RUBEN R. PEREZ  
Assistant United States Attorney

A TRUE BILL

ORIGINAL SIGNATURE ON FILE  
FOREMAN OF THE GRAND JURY